

FILED
U.S. BANKRUPTCY COURT

2018 APR -2 A 9:52

S.D.N.Y.

RESPONSE OF ROBYNNE A. FAULEY TO Case No, 12-12020 (MG)

RE: NOTICE OF CONFLICTS OF INTEREST, FRAUD AND FRAUD UPON THE COURT BY DEBTORS IN CONSPIRACY WITH CREDITOR LNV CORPORATION, RESCAP LIQUIDATING TRUST AND SPECIAL INSURANCE COVERAGE COUNSEL FOR THE DEBTORS PERKINS COIE LLP (Doc. 10469)

In Objection to (Doc 10482) Filed by ResCap Liquidating Trust, Perkins Coie joined by LNV Corporation (Doc 10485)

To the Honorable Judge Glenn,

THERE IS NO JUSTICE FOR ALL; ONLY FOR BILLIONAIRES, OR THE BANKS, ONLY SOMEONE WITH DEEP POCKETS. THE MORE MONEY YOU HAVE, THE MORE ABOVE THE LAW YOU ARE.

SOMEWHERE, SOME ONE, SOME HOW, DECIDED THAT BANKS ALWAYS WIN.

I along with three other homeowners have been fighting LNV aka Residential Funding Company LLC over illegally purported transferred notes and DOT's for 5 1/2 years. We have all suffered courts with summary judgments and no real acknowledgment of the facts that we have been presenting for years and years. Why do we keep trying? Because, its right and what they have done is wrong. And it's everything we have ever worked for all our lives, and paid taxes for. We did what was right and they are trying to steal that from us: Because they can? Because they are richer and smarter than us, and have the best attorneys in each city that are the most connected to the courts. Certainly Perkins Coie is that. Morrison and Foerester, LLC. is that. I am not sure if Judges understood the fake documents that were presented in their courts, or the issues of this kind of real estate matters, and white collar crime or if it's as my title states above, but I personally have continued to seek a remedy, over and over and over, because, I know that this was all done illegally, and if I had done these real estate transactions in my life, I would be in jail. Why not banks?

We have not filed a claim in a timely fashion, because our potential rights in this case were concealed from us all along the way during our very first court case filed in January until the very last court case.

My attorney Dave Smith admitted the following today 3-26-18. I Robynne A Fauley, spoke with Dave Smith, my previous attorney, today March 26th, at 10:47 am. Mr. Smith confirmed that if Chase and Washington Mutual were concealing fraudulent activities, that the agreement with Chase settlement for \$ 2,500.00, would then be invalid at the inception and it would not protect the agreement legally from prosecution.

Also he stated, that Judge Hernandez, not only laughed when he was handed the note, but that he said exactly, what I had remembered: "Looks real to me." It was removed from the transcript of that case, and when I told Dave Smith that it was missing today from the transcript he then stated, " Oh really?." I then confirmed again, did you hear those exact words, "Looks real to me", and again he said "yes" he remembered those words.

Dave, stated, "I did not realize that Residential Funding Company LLC, Perkins Coie and LNV were performing any fraud upon the court with the bankruptcy", he stated he had no idea.

We sued Washington Mutual, Residential funding, Deutsche Bank in January of 2013. Perkins Coie has represented them all along the way, both as our opposing attorneys, and as the insurance representation for Residential Funding at that time, claiming to be a disinterested party.

We have never had "our day in court, our bite of the apple", as opposing counsel states, never ever. I have told opposing for counsel for years and years, Please present to us the original purported note for forensic examination and it's over, I will walk away if it's not a forgery made by Andy Beal aka LNV transferred from Residential Funding Company LLC who was never the beneficiary. In all our years of court cases, it has never once escaped me that opposing counsel has actually addressed or ever answered our facts, they are simply dismissed us and ignored what we presented. But they are facts.

We have stated over and over, just let us forensically examine our note. In Oregon production of the original notes at motion for summary judgment or trial is required. Foreclosing parties need to present the original note to the court in order to foreclose. Unless plaintiff alleges and proves the loss or accidental destruction of the note, the note (original note) should be produced when a judgment is sought. Oregon Trial Court Rules, UTCR 2.060 states:

- (1) *In all cases when a judgment is to be based on a negotiable instrument, the party with custody of the original instrument must tender such instrument to the court before the entry of judgment, and the court must enter a notation of the judgment on the face of the instrument.*
- (2) *The trial court administrator shall return the original instrument only after filing a certified copy of the instrument.*

Some judges have required the production of the original note on motion for summary judgment, because without the original note, a judgment in favor of the party cannot be entered (absent appropriate proof of loss or destruction of the note). The court will not accept an original note tendered with a so called bailee agreement; however, the court will acknowledge receipt of the delivery of an original note just as it would any other documents submitted to a judge.

When calling Judge Hernandez's clerk, to ask if they have to present the original note, she stated, "we just do not do that anymore". Then I asked, "So you do not follow your own statutes?." She just paused in silence, ...so no they do not follow their own laws anymore.

Judge Hernandez was asked by my attorney, 'Your Honor, please just let us have 5 days to examine the note, he said "no", then 3 days, he said "no" then 1 day and he said "no". He then asked to see a copy of the note from Mr. Haynie, LNV, and then stated it looked real to him, and then ruled.....Summary Judgment.

The appellate court took a year and then just dismissed it without any signatures, or statement of why even with one comment on the facts showing fraudulent chain, assignments, allonges, and signatures that were also fraudulent.

Please show us the note and let a professional examine it and we will end this and go away if it's real.

Judges too have played hide and seek with the note and facts. I just do not understand why this is happening; this should have ended with our first law suit. I have spent will over \$120,000.00 with attorneys, and they did not even understand the issues. I have in fact been told that we would never win, since Judges believe we are asking for a free home. We are not. The banks

are. They are predatory and have contrived in a most clever way to do things, so that homeowners could or never would understand as honest hard working people. They insult us, and make us look like irresponsible people, when I know that I am not. I have volunteered as a Catholic Prison Chaplain, at Columbia River Correctional for the Arch Diocese of Portland for over 22 years, while running a medical spa, and taking care of my father, my property, my gardens and bees.

I have also paid \$387,000.00 on my property with \$60,000.00 down payment before I had two car accidents, (where I was hit) in the same year. I asked for and sent over 8 hardship packages with a request to place those several months on the back of the loan, maybe even 9 as I start looking over my documents, and had to write Ron Wyden our Senator who then wrote MGC a letter telling them to do this since they told me they had lost all of my hardship packages, filled out with sensitive information, SS, Bank info, etc even the ones sent with tracking. They responded with a re mod that was financially a disaster to me and extremely advantageous to them financially and so terribly bad, that my CPA, told them "to go eat sand", and he's extremely good at what he does in the city of Portland. So now they could say they gave me one. But they were not a mortgage company they were predatory pretender lenders who had always wanted to foreclose which was much more lucrative to them then being a lender.

Sincerely,

A handwritten signature in black ink, reading "Robynne A. Fauley". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Robynne A. Fauley

Dated March 30, 2018

Robynne Fauley
12125 SE Laughing Water Rd,
Sandy, Or 97055
503 381-6937

Case # 12-12020 MG

Your Honorable Judge Glenn,

I am one of the four, Robynne Ariel Fauley, Catherine Gebhardt Denise Subramaniam, Tuli Wohl in this original notice. I received Morrison and Foerster L.L.C.'s objection, 208 plus double sided document Saturday March 10th. The three other people had theirs mailed to their homes that were foreclosed on, and Morrison, aka Perkins Cole knew they were not in their homes, as they were the ones that removed them. They sent it to me via post office as inexpensively as possible, with slow speed. Perkins Cole has my email and could have had it to me quickly.

Your Honor, I am requesting more time with this and for all of us, I am able to have reached these other three above, via the phone today Tuesday the 13th. They have just received this objection complaint that is quite large and most suddenly filed, as I called Morrison law firm to ask one question, why we were not notified during our lawsuits at the time of this bankruptcy, and suddenly 18 hours later they filed this massive document.. We are all amazed at the facts that have been submitted and wish to respond and ask the court to hear our matter in regard to what they have stated. It is inaccurate at best and shows cover up and deception.

LVN, and PC, has filed something as well to join on to this case, I received a phone call from a friend, and was told to check the Residential Cap website, where it shows they have filed to join with Morrison, and Perkins Cole as well. I have not yet received that or been notified as of today. 3-13-18. They too have my email and have had electronic filing connections with me for some time now. Or could have called to notify me. We had only filed a notice, and not a case yet.

We are all disabled in certain ways, I have cancer, Denise is in surgery today, and Tuli was served and foreclosed on during a coma and illness. We are asking your Honor if you could assign an attorney to represent us, since Pro Se Litigants, can not file electronically in the court. We have not had our day in court as stated by PC. My rights as well the others, have been grievously trampled on in the 9th District Court as well as a few others.. We all have more than enough, no an abundance of evidence, of criminal activities that need to be brought to light. We have been fighting these extremely deep pocket attorneys, that are dishonest for over five years, some of us longer. We have just uncovered even more evidence concerning Residential funding, that is awful and dishonest. We would just need some time and an attorney to present this to your court your Honor. Perhaps it is finally time they are held accountable.

Robynne Fauley

Robynne Fauley 3/13/18

cc. LVN, Perkins Cole Eric Hanle Portland Oregon,
cc Morrison & Foerster L.L.P. New York, New York.

A two week extension of time from today, March 19, 2018 is GRANTED. Robynne Fauley, Catherine Gebhardt, Denise Subramaniam and Tuli Wohl have until April 2, 2018, to file a document in response.

MEMORANDUM ENDORSED.

/S/ MARTIN GLENN

UNITED STATES BANKRUPTCY COURT